

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

THERMO FISCHER SCIENTIFIC INC.,	)	
	)	
Plaintiff,	)	No. 4:23-CV-1098 JSD
	)	
v.	)	
	)	
RYAN ARTHUR,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

In its January 10, 2024 Memorandum and Order (ECF No. 138), this Court ordered Defendant Ryan Arthur to meet with Polaris on January 16, 2024 for a forensic examination of his accounts and devices. On January 12, 2024, Arthur filed a Motion for Extension of Time to Turn Over Devices and Accounts to Forensic Examiner Polaris (ECF No. 140). In his Motion, Arthur states that he is working outside of the state the week of January 16, 2024, and requests that the Court reschedule the forensic examination.

Plaintiffs oppose any extension due to Arthur's repeated failure to comply with this Court's Orders and evidence that Arthur continues to improperly utilize Plaintiffs' property. Plaintiffs further state that Arthur has not provided any evidence to support his claim that he is out of the state next week.

The Court is frustrated by this development in this already protracted litigation. The Court notes that counsel for Plaintiffs mentioned that Polaris was available on January 12, 16, and 17, and Arthur did not mention his work conflict. The Court grants Arthur's requested extension, but will allow Plaintiffs to submit an affidavit regarding legal and travel expenses it incurred in rescheduling the forensic examination.

Accordingly,

**IT IS HEREBY ORDERED** that Motion for Extension of Time to Turn Over Devices and Accounts to Forensic Examiner Polaris (ECF No. 140) is **GRANTED**. The January 16, 2024 deadline for Defendant Ryan Arthur to meet with Polaris representatives and the order related to the fine for noncompliance after January 16, 2024 is **VACATED** and will be reset upon further order of the Court.

**IT IS FURTHER ORDERED** that Plaintiffs shall file a Notice and proposed Order, identifying when Polaris is available during the week of January 22, 2024 to perform the forensic examination of Defendant Ryan Arthur's devices and accounts. The Court will issue an order once it is advised of Polaris's availability.

**IT IS FINALLY ORDERED** that Plaintiffs shall file a motion and affidavit identifying their legal and travel expenses associated with rescheduling the forensic examination no than **Wednesday, January 24, 2024**. Defendant Ryan Arthur shall file any response to Plaintiffs' motion and affidavit no later than **Wednesday, January 31, 2024**.

Dated this 12th day of January, 2024.

  
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JOSEPH S. DUEKER  
UNITED STATES MAGISTRATE JUDGE